

**CITY OF NEWBERG CITY COUNCIL MINUTES
TUESDAY, SEPTEMBER 8, 2009
7:00 P.M. MEETING
PUBLIC SAFETY BUILDING TRAINING ROOM
401 EAST THIRD STREET**

A work Session was held prior to the meeting. A presentation was made by the engineering department on the CM/GC Process. An update from the planning department on the URA appeal process was provided. No decisions were made.

I. CALL MEETING TO ORDER

Council President Bob Larson called the meeting to order at 7:00 PM.

II. ROLL CALL

Members

Present:	Bob Larson	Denise Bacon	Marc Shelton (arrived 6:30)
	Stephen McKinney	Bart Rierson	Wade Witherspoon

Members

Absent: Mayor Bob Andrews (excused)

Staff

Present:	Daniel Danicic, City Manager	Terrence Mahr, City Attorney
	Barton Brierley, Planning and Building Director	Norma Alley, City Recorder
	Howard Hamilton, Public Works Director	Jennifer Nelson, Recording Secretary
	Crystal Kelley, Recording Secretary	

Public

Present: Darlyn Adams, Jamie Nibler, Richard Gaston, Betsy Fettig, and Joe Fettig

III. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was performed.

V. PUBLIC COMMENTS

Mrs. Darlyn Adams, Newberg Animal Shelter Friends, reported they have \$450,551.80 currently in the building fund. They have raised \$50,550.00 in less than five months. The ground breaking will take place on September 19, 2009, at 2 pm. on Wynooski Street.

VI. CONSENT CALENDAR

1. Consider a motion approving the appointment of Matt Johnson to the Newberg Downtown Revitalization Committee.
2. Consider a motion approving City Council Minutes for August 3, 2009, and August 17, 2009.

MOTION: Rierson/Shelton to approve the Consent Calendar including the appointment of Matt Johnson to the Newberg Downtown Revitalization Committee and the City Council Minutes for August 3, 2009. (6 Yes/0 No/1 Absent [Andrews]) Motion carried.

VII. PUBLIC HEARING

Consider a motion approving **Order No. 2009-0023** affirming the hearings officer's decision and denying an appeal request for an existing non-conforming billboard sign, owned by CBS Outdoor Inc., to remain at the Newberg Auto Electric site at 616 West First Street.

President Larson called for conflicts of interest. None were stated.

Mr. Barton Brierley, Planning and Building Director, presented the staff report (see official meeting packet for full report).

Councilor Bart Rierson asked if the property is inside city limits. Mr. Brierley confirmed it was.

Jamie Nibler, owner, addressed the landscaping concerns stated by the hearings officer and listed all the improvements she has made. She stated the sign is a significant source of income for her and does not want to lose this income.

Richard Gaston, CBS Outdoor owner of the sign, clarified the size of the sign was misrepresented in the staff report and gave the correct size. He said they did not know about the issues of the sign until June, not as stated in the staff report of 1999. I recommend further investigation by the Council and to not move forward with a decision tonight. We would like to have a collaborative approach to resolve this issue.

Councilor McKinney asked Mr. Gaston how many signs they own and if the sign is the only one of its kinds. Mr. Gaston answered yes it is the only sign they own and it is the only one of its kind.

Councilor McKinney asked staff if the sign is the only one of its kind in the city. Mr. Brierley stated it was. Councilor McKinney went on to ask if the city has a procedure to grandfather in signs. Mr. Brierley stated nonconforming signs can be grandfathered in but that will change March 9th 2010.

MOTION: Shelton/Bacon to table Order No. 2009-0023 until the November 2, 2009 meeting. (6 Yes/0 No/1 absent [Andrews]) Motion carried.

MOTION: Shelton/Larson to set the deadline to accept written testimony on **Order No. 2009-0023** for October 13th. (6 Yes/0 No/1 absent [Andrews]) Motion carried.

VIII. NEW BUSINESS

1. Consider a motion approving **Resolution No. 2009-2867** approving a County zone change for property known as Tax Lot 3229-300 located outside city limits but within the Urban Reserve Area.

TIME – 7:40 PM

Mr. Breirley presented the staff report (see official meeting packet for full report).

Betsy and Joe Fettig, property owners spoke of their desire to have the two side-by-side parcels zones match in order to make the property usable.

MOTION: McKinney/Rierson to approve **Resolution No. 2009-2867** approving a County zone change for property known as Tax Lot 3229-300 located outside city limits but within the Urban Reserve Area. (6 Yes/0 No/1 absent [Andrews]) Motion carried.

2. Consider a motion approving a **Resolution No. 2009-2865** approving the design and location of a downtown welcome sign.

TIME – 7: 57 PM

This item was heard out of agenda order.

Mr. Brierley presented the staff report (see official meeting packet for full report).

Councilor Rierson asked what the plan is for maintenance of the property. He asked if they can give them guidance as to how the property is maintained. He went on to ask if there are plans for the sign to be illuminated. Mr. Brierley stated they could enter into an agreement to maintain the property but they would have to commit city resources in order to do that.

MOTION: Rierson/ Larson to approve **Resolution No. 2009-2865** approving the design and location of a downtown welcome sign. (6 Yes/0 No/1 absent [Andrews]) Motion carried.

MOTION: Rierson/ Larson directing the City Manager to enter into an agreement with the property owner for the city to maintain landscaping on the property or enter into negotiations to acquire the property. (6 Yes/0 No/1 absent [Andrews]) Motion carried.

3. Consider a motion approving **Resolution No. 2009-2868** authorizing the city manager to negotiate and enter into contract with a solar energy provider to purchase power from their facility constructed on City property.

TIME – 8:09 PM

Howard Hamilton, Public Works Director, assisted by Martin Shane presented the staff report (see official meeting packet for full report).

Councilor President Larson asked how they know what the savings will be if they do not know what buildings it would be on. Mr. Shane stated they have worked closely with the public works staff. Mr. Hamilton added the area is designated for future processes that would not be put into place for several years.

MOTION: Rierson/Shelton to approve **Resolution No. 2009-2868** authorizing the city manager to negotiate and enter into contract with a solar energy provider to purchase power from their facility constructed on City property. (6 Yes/0 No/1 absent [Andrews]) Motion carried.

IV. CITY MANAGER'S REPORT

This item was heard out of agenda order.

Mr. Daniel Danicic, City Manager, reported the new web site is up and running. He reminded the council it is a work in progress and looking for feedback and concerns. The 9-11 ceremonies will be this Friday at 9:45 a.m. at Station 20. There will be a ringing of the bell and a few words of remembrance. The Kiwanis spaghetti feed is on September 18th September 20th is the Fire Department Toy and Joy

Golf Tournament. City staff is following the H1N1 virus and does not anticipate any significant issues. A plan is in place to send people home if they come to work sick.

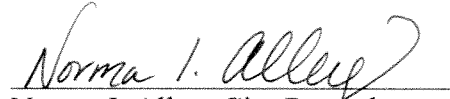
IX. COUNCIL BUSINESS

None.


X. ADJOURNMENT

The meeting adjourned at 8:37 PM.

ADOPTED by the Newberg City Council this 5th day of October, 2009.


Norma I. Alley, City Recorder

ATTEST by the Mayor this 8th day of October, 2009.


Bob Andrews, Mayor